

**3128. Adulteration of tomato catsup. U. S. v. 23 Cases of Tomato Catsup. Default decree of condemnation and destruction.** (F. D. C. No. 6780. Sample No. 72539-E.)

On or about February 2, 1942, the United States attorney for the District of Nevada filed a libel against 23 cases, each containing 6 No. 10 cans, of tomato catsup at Las Vegas, Nev., alleging that the article had been shipped in interstate commerce on or about November 10, 1941, by S. E. Rykoff & Co. from Los Angeles, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Rosy Red Californina Fancy Tomato Catsup \* \* \* Packed \* \* \* By Harbor City Food Corp. Harbor City, California."

On March 3, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3129. Adulteration of tomato catsup. U. S. v. 500 Cases of Tomato Catsup. Default decree of condemnation and destruction.** (F. D. C. No. 6009. Sample No. 49051-E.)

On or about October 13, 1941, the United States attorney for the Northern District of Texas filed a libel against 500 cases of tomato catsup at Dallas, Tex., alleging that the article had been shipped in interstate commerce on or about September 15, 1941, by Stokely Bros. & Co., Inc., from Indianapolis, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Bottles) "Stokely's Finest Tomato Catsup."

On February 9, 1942, a default decree of condemnation and destruction was entered as to the tomato catsup with the provision that Stokely Bros. might reclaim all caps and bottles. Subsequently the claimant decided not to reclaim the caps and bottles and they were destroyed.

**3130. Adulteration of tomato products. U. S. v. 148 Cases of Tomato Catsup and 29 Cases of Tomato Puree. Default decrees of condemnation and destruction.** (F. D. C. Nos. 6160, 6658. Sample Nos. 49300-E, 79337-E.)

On November 4, 1941, and January 6, 1942, the United States attorneys for the Southern District of Alabama and the Northern District of Ohio filed libels against 148 cases each containing 24 bottles of tomato catsup at Mobile, Ala., and 29 cases each containing 48 cans of tomato puree at Cleveland, Ohio, alleging that the articles had been shipped in interstate commerce on or about September 11 and 20, 1941, by Stokely Bros. & Co., Inc., from Indianapolis, Ind.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances. The articles were labeled in part: "Stokely's Finest Tomato Catsup Net Weight 14 Ozs.," or "Stokely's Finest Concentrated Tomato Puree. Net Weight 10½ Oz."

On February 6 and March 25, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**3131. Adulteration of tomato puree and tomato catsup. U. S. v. 147 Cases and 3,135 Cans of Tomato Puree, and 67 Cases of Tomato Catsup. Default decrees of destruction.** (F. D. C. Nos. 6225, 6390, 6391. Sample Nos. 29200-E, 62297-E, 71137-E.)

On November 18 and December 10 and 11, 1941, the United States attorney for the Northern and the Southern Districts of Illinois and the Southern District of Ohio filed libels against 147 cases each containing 6 cans of tomato puree at Chicago, and 3,135 5-gallon cans of tomato pure at Collinsville, Ill., and 67 cases each containing 24 bottles of tomato catsup at Columbus, Ohio, alleging that the articles had been shipped in interstate commerce within the period from on or about September 3 to on or about November 19, 1941, by G. S. Suppiger Co. from Mount Summit and Converse, Ind.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances. The tomato catsup was labeled in part: (Bottles) "Brooks \* \* \* Tabasco Flavor Catsup." The tomato puree was unlabeled.

On January 27, March 9, and June 27, 1942, no claimant having appeared, judgments were entered ordering that the products be destroyed.

**3132. Adulteration of tomato catsup and tomato sauce. U. S. v. 91 Cases of Tomato Catsup and 300 Cases of Tomato Sauce. Default decrees of condemnation and destruction.** (F. D. C. Nos. 6534, 6742. Sample Nos. 23234-E, 53678-E.)

On December 19, 1941, and January 22, 1942, the United States attorneys for the District of Oregon and the Southern District of Texas filed libels against 91 cases each containing 24 bottles of tomato catsup at Grants Pass, Oreg., and

300 cases each containing 72 cans of tomato sauce at Houston, Tex., alleging that the articles had been shipped in interstate commerce on or about December 9 and 31, 1941, by Val Vita Food Products, Inc., from Oakland and Fullerton, Calif.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances. The articles were labeled in part: "Val Vita Brand Tomato Catsup \* \* \* 14 oz. [or "Spanish Style Tomato Sauce \* \* \* 7½ Oz."]."

On February 13 and March 10, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**3133. Adulteration of tomato juice. U. S. v. 200 Cases, 50 Cases, 50 Cases, and 41 Cases of Tomato Juice. Default decrees of condemnation and destruction.** (F. D. C. Nos. 6552, 6919, Sample Nos. 75794-E, 75795-E, 75796-E, 90300-E, 90312-E.)

On December 22, 1941, and February 21, 1942, the United States attorney for the District of Massachusetts filed libels against a total of 300 cases of various-sized cans of tomato juice at Brockton, Mass., and 41 cases at Worcester, Mass., alleging that the article had been shipped in interstate commerce on or about October 22 and 29, 1941, by Holley Canning Co., Inc., from Holley, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Armour's Star Tomato Juice \* \* \* Armour and Company Distributors."

On March 2 and 23, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**3134. Adulteration of tomato juice. U. S. v. 40 Cases of Tomato Juice. Default decree of condemnation and destruction.** (F. D. C. No. 6581. Sample No. 90275-E.)

On December 26, 1941, the United States attorney for the District of Massachusetts filed a libel against 40 cases of tomato juice at Greenfield, Mass., alleging that the article had been shipped in interstate commerce on or about October 18, 1941, by Barker Canning Corporation from Barker, N. Y.; and charging it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Our Table Brand Tomato Juice."

On January 26, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3135. Adulteration of tomato puree. U. S. v. William S. Swett (Knox Pickle & Preserve Works). Plea of guilty. Fine, \$25.** (F. D. C. No. 5510. Sample Nos. 47136-E, 47144-E.)

On November 19, 1941, the United States attorney for the Northern District of Indiana filed an information against William S. Swett, trading as Knox Pickle & Preserve Works at Sidney, Ind., alleging shipment on or about December 5, 1940, and January 10, 1941, from the State of Indiana into the State of Illinois, of quantities of tomato puree that was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Blossom \* \* \* Tomato Puree Distributed By Sprague, Warner & Company Chicago, Ill."

On February 17, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$25.

**3136. Adulteration of tomato puree. U. S. v. 398 Cases of Tomato Puree. Default decree of destruction.** (F. D. C. No. 6229. Sample No. 58835-E.)

On November 15, 1941, the United States attorney for the District of Minnesota filed a libel against 398 cases, each containing 6 No. 10 cans, of tomato puree at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about September 20, 1941, by Butterfield Canning Co. from Muncie, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Indiana Brand Puree of Tomatoes."

On January 15, 1942, no claimant having appeared, judgment was entered ordering that the product be destroyed.

**3137. Adulteration of tomato puree. U. S. v. 69 Cases of Tomato Puree. Default decree of condemnation and destruction.** (F. D. C. No. 6236. Sample No. 18019-E.)

On November 17, 1941, the United States attorney for the Southern District of Alabama filed a libel against 69 cases of tomato puree at Catherine, Ala.,